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REMARKS

Claims 2 and 9 are currently pending in the present patent application. Reconsideration and allowance of the application is respectfully requested in view of the following remarks. Claims 2 and 9 are independent claims.

Claim rejections – 35 USC §103

In the report, the Examiner rejected claims 2 and 9 under 35 USC §103(a) as being unpatentable over U.S. patent No. 6,295,450 (hereinafter called Lyer). Independent claim 2 and 9 are amended for pointing out the essence of the invention.

The invention of claim 2 describes a method for allocating network resources to perform a requested service in a cellular telecommunications network. The method uses a Mobile Switching Center (MSC) for determining each particular cell's capability in order to provide the requested service prior to allocating network resources in that cell. The method further builds at the MSC, a first list that comprises cells of a location area that are capable to provide the requested service, a second list of that comprises cells of a paging area (PA) that are capable to provide the requested service and a third list of cells that comprises cells that are capable to provide the requested service. The method further allocates at the MSC, network resources by paging for a mobile station only in the cells of the first list. In the absence of a response from the mobile station, the method pages the mobile station in the cells of the second list and in the absence of a response pages the mobile in the cells of the third list.

Lyer refers to a method for transferring communication within a communication system. During communication with a serving base station, a handover candidate list is provided to a remote unit. The list is stored at the serving base station and a logic unit of the serving base station determines the capabilities of neighboring base stations of the list. The list comprises a set of neighboring base stations that are capable of supporting a service requirements of the remote unit and does not include any neighboring base station that are incapable of supporting the current service required by the remote unit. Because the handover candidate list contains only neighboring base stations that are capable of satisfying the remote unit's service requirements, the remote unit will not needlessly monitor and report signal quality for base stations that will not satisfy the remote unit's requirements.

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Consequently, the remote unit will be handed over by the serving base station to a neighboring base station that can best support the remote unit's service requirements.

However, Lyer does not disclose a MSC for determining a cell's capability in order to perform a requested service in a cellular telecommunications network. Lyer discloses a list of neighboring base stations that are capable of supporting a required service and that form a candidate list for handing over a remote unit to one of these neighboring base stations. Nevertheless, Lyer does not disclose or teach a first list of cells of location area (LA), a second list of cells of a paging area (PA) and a third list of cells of cells in a service area (SA) that are capable to provide the requested service. In Lyer, a base station merely belongs to a coverage area and the list is not built as regards to a LA, PA and SA as claimed. As a consequence, Lyer cannot disclose a method for allocating, at a MSC, network resources for a mobile station by paging the mobile consecutively in the cells of the first list, the second list and the third list, and this in the absence of a response from the mobile station.

Since Lyer does not disclose whole or parts of the claimed invention, Lyer cannot possibly render obvious the invention of independent claim 2. Claim 9 is a node claim for executing the method of claim 2, which comprises similar limitations as described in claim 2. Consequently, claim 9 is believed patentable for the same reasons provided in support of claim 2.

In view of the abovementioned remarks, Applicant respectfully requests withdrawal of the rejection and favourable action for all pending claims.

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CONCLUSION

In view of the foregoing, Applicant submits that the present patent application is now in condition for favourable action. Should the Examiner wish to further discuss the present response or patent application, the undersigned can be reached at (514) 345-7891.

Respectfully submitted,

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